

REMARKS

The above-identified application is United States application serial number 09/854,037 filed on May 10, 2001. Claims 21-40 are pending in the application. Claims 21-40 are rejected. Claims 25 and 34 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite in that they fail to point out what is included or excluded by the claim language. Claims 21-28, 30-37 and 39-40 are rejected under 35 U.S.C. 102(b) as being anticipated by Bullock et al. ("Bullock", US 5,675,358). Claims 29 and 38 are rejected under 35 U.S.C. §103(a) as being unpatentable over Bullock in view of Edmunds et al. (U.S. Patent No. 5,592,602).

Rejection of Claims Under 35 USC §112

Regarding the rejection of claims 25 and 34 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention, applicants have deleted the term identified as indefinite by the examiner.

Rejection of Claim Under 35 USC §102

Regarding the rejection of claims 21-28, 30-37, and 39-40 under 35 U.S.C. §102(b) as being anticipated by Bullock, applicants amend claims 21, 30, and 39 to further clarify novel subject matter. Applicants have amended claim 21 to specify that the "graphical user interface being adapted to respond to the user's arrangement of two or more overlapping images by creating the picture stack as a conceptual structure defined by an underlying area on the desktop whereby control information directed to the underlying area on the desktop operates upon the picture stack as the conceptual structure." Claims 30 and 39 are similarly amended. The amendment should be admitted because no new issues are raised that would require further consideration and/or search since the added matter was presented previously in claim 30. Modifications to the claims are supported at least in paragraphs [0024], [0033], and [0034] so that no new matter is added.

Bullock et al fails to disclose a system or method whereby arrangement of multiple images into an overlapping structure causes the images to be operated upon as a conceptual structure rather than individual images.

Rejection of Claim Under 35 USC §103

Regarding the rejections of Claims 29 and 38 under 35 U.S.C. §103(a) as being unpatentable over Bullock in view of Edmunds et al, the claims are allowable after the amendments for the same reasons as amended claims 21 and 30.

CONCLUSION

Applicant believes Claims 21-40 are in form for allowance and a notice to that effect is solicited. No new matter has been added. In the event it would facilitate prosecution of this application, the Examiner is invited to telephone the undersigned at (949) 251-0250.

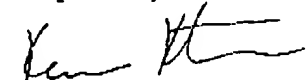
I hereby certify that this correspondence is being facsimile transmitted to the
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(Signature) 

Jay C. Nao
(Printed Name of Person Signing Certificate)

April 8, 2005
(Date)

Respectfully submitted,



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